

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

SHERON JOHNSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION
	)	FILE NO.
WAL-MART STORES, INC. and	)	
WAL-MART REALTY COMPANY,	)	
	)	
Defendants.	)	
_____	)	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1446, Defendants Wal-Mart Stores, Inc. and Wal-Mart Realty Company file this Notice of Removal in the United States District Court for the Southern District of Georgia, Statesboro Division, and invoke this Court's jurisdiction over this matter on the following grounds:

1.

This personal-injury action was commenced on or about November 29, 2016 by the filing of the original Summons and Complaint in the State Court of Bulloch County, Georgia, styled SHERON JOHNSON v. WAL-MART STORES, INC. and WAL-MART REALTY COMPANY, Civil Action File No. STCV2016000194. Attached hereto as Composite Exhibit "A" are copies of all pleadings and orders served upon Defendants Wal-Mart Stores, Inc. and Wal-Mart Realty Company in such action to date.

2.

This case is subject to removal under 28 U.S.C. § 1332.

3.

Wal-Mart Stores, Inc., is a Delaware corporation with its principal place of business in Bentonville, Arkansas. Wal-Mart Realty Company is an Arkansas corporation with its principal place of business in Little Rock, Arkansas. While Defendants state that they are not proper defendants in this case and the proper defendant in this case, Wal-Mart Stores East, LP, is a Delaware limited partnership. WSE Management, LLC is the general partner of Wal-Mart Stores East, LP with its citizenship in Delaware and WSE Investment, LLC is the limited partner of Wal-Mart Stores East, LP with its citizenship in Delaware. [See Exhibit "B"]. The parties have agreed that they will substitute Wal-Mart Stores East, LP as the proper party in interest.

4.

Plaintiff is a Georgia resident. [See Complaint, ¶ 1.]

5.

With respect to removal on the basis of diversity jurisdiction, this removal is timely because it has been filed within thirty (30) days after receipt by Defendants, through service or otherwise, a copy of the initial pleadings setting forth the claim for relief upon which such action or proceeding is based.

6.

Upon information and belief, the amount in controversy between Plaintiff and Defendants exceeds the sum of \$75,000.00.

7.

This Court has jurisdiction of this matter pursuant to 28 U.S.C. § 1332 (a) because complete diversity exists between the parties and the amount in controversy exceeds \$75,000.00.

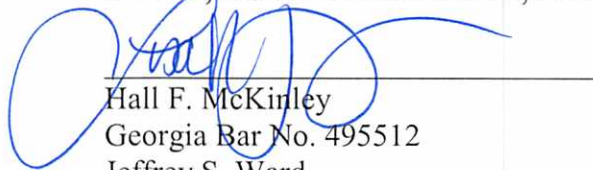
8.

By service of a copy of this Notice of Removal as evidenced by the Certificate of Service attached, Defendants hereby give notice of such removal to Plaintiff.

**Wherefore**, Defendants pray that this Court take cognizance and jurisdiction over this claim from the State Court of Bulloch County, Georgia, and that this action shall proceed as removed and under this Court's jurisdiction under 28 U.S.C. 1332.

This 3<sup>rd</sup> day of January, 2017.

**DREW, ECKL & FARNHAM, LLP**



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_____	)	

**CERTIFICATE OF SERVICE**

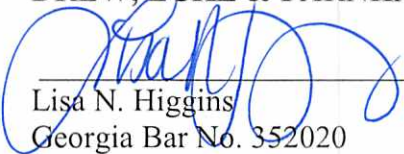
I hereby certify that I have served the foregoing *Notice of Removal* on all parties by depositing a copy of same in the U.S. mail, with proper postage prepaid and addressed:

Seth M. Diamond, Esq.  
Morgan & Morgan, P.A.  
25 Bull Street, Suite 400  
Savannah, Georgia 31401

This 3<sup>rd</sup> day of January, 2017.

777 Gloucester St., Ste. 305  
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**DREW, ECKL & FARNHAM, LLP**

  
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